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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,317	10/01/2003	Min Liu	MSI-1630US	6512

22801 7590 03/28/2006

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EXAMINER

CASCHERA, ANTONIO A

ART UNIT PAPER NUMBER

2628

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/676,317

Applicant(s)

LIU ET AL.

Examiner

Antonio A. Caschera

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 30-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 30-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 1/25/2006.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 30-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turpin et al. (U.S. Patent Publication Number: 2003/0174882) in view of Beretta (U.S. Statutory Invention Registration Number: H1506).

In regards to claim 30, Turpin discloses a computer-accessible medium having one or more instructions that are executable by one or more processors (§§ 0073-0074; Figure 2), the one or more instructions causing the one or more processors to:

- detect a color selected from a graphic user interface (GUI) color palette associated with an authoring environment (Figure 13; §§ 0117-0119 discloses a selectable color palette);
- convert the component values to corresponding component values in a standardized reference color coordinate system (§§ 0126-127; in addition, it is very common in the art

Art Unit: 2628

to convert from one color space to a device independent color space before converting to a third color space); and

- convert the component values in the standardized reference color coordinate system to corresponding component values in a receiver color coordinate system (§ 0064).

While Turpin discloses the selection and conversion of the color space data, as well as one form of normalization of the color space data, Turpin does not specifically disclose wherein the instructions cause the processor to normalize component values of the selected color in accordance with a number of bits-per-channel-associated with the authoring environment.

Beretta discloses wherein the instructions cause the processor to normalize component values of the selected color in accordance with a number of bits-per-channel-associated with the authoring environment (col. 34, lines 38-59). Note, Berretta explicitly discloses dividing RGB values by 255 which the Office interprets functionally equivalent to the normalizing of Applicant's claim especially with regards to Applicant's reference to the specification in Applicant's Remarks (see pages 8-9, equations and arguments on bottom of page 8 of Applicant's Remarks). It would have been obvious to one skilled in the art at the time the invention was made to implement the color processing techniques of Turpin et al. with the GUI color palette techniques of Beretta in order to create a more effective color selection and editing user interface by creating uniformity between a user's interpretation of color and a color space (see column 1, lines 57-65 of Beretta).

In regards to claim 31, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, Turpin discloses wherein the GUI color palette depicts a plane of a multi-dimensional color space predicated upon a dominant color selection such that for each color depicted in the GUI color

Art Unit: 2628

palette, a component value associated with the dominant color is static and each dimension represents an available range of another color component (§ 0105 where the color selected for processing is the dominant color).

In regards to claim 32, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, Turpin discloses wherein the GUI color palette depicts a rotatable 3-D rendering of 1an X-dimensional ( $X \geq 6$ ) color space predicated upon a dominant color selection such that for each color depicted in the GUI color palette, a component value associated with the dominant color is static and each dimension represents an available range of another color component (§§ 0103-0104 discloses rotation).

In regards to claim 33, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, the combination discloses wherein to normalize the component values of the detected color is to gamma-correct the component values (Beretta: Figure 20, Item 218; col. 34:7-14).

In regards to claim 34, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, the combination discloses wherein to convert the component values in the standardized reference color coordinate system to corresponding component values in the receiver color coordinate system further is to gamma correct the converted component values in the standardized reference color coordinate system (Beretta: Figure 20, item 218; col. 34:7-14).

In regards to claim 35, the combination of Turpin and Beretta discloses a computer-accessible medium according to claim 30, as contained hereinabove. In addition, the

combination discloses wherein the one or more instructions using the one or more processors to convert the component values in the standardized reference color coordinate system further causes the one or more processors to calculate a minimum average component value if one of the converted component values exceed a range of [0,1] (Beretta: Figure 1, Item 22; col. 41:16-33).

In regards to claim 36, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, the combination discloses wherein the one or more instructions causing the one or more processors to convert the component values in the standardized reference color coordinate system further causes the one or more processors to default to a next-closest color component value match if one of the converted component values exceed a range of [0,1] (Beretta: col. 41:16-33).

In regards to claim 37, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 36, as contained hereinabove. In addition, the combination discloses wherein the next closest color component value match is determined in accordance with a mathematical projection (Beretta: col. 24:37-47).

In regards to claim 38, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, the combination discloses further comprising one or more instructions causing the one or more processors to indicate that the detected color is invalid and request another color be selected from the GUI color palette if one of the converted component values exceed a range of [0,1] (Beretta: col. 41:16-33).

In regards to claim 39, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, Turpin

Art Unit: 2628

discloses wherein the standardized reference color coordinate system is a CIE XYZ system (¶ 0233).

***Response to Arguments***

3. Applicant's arguments with respect to claims 30-39 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (571) 272-7781. The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung, can be reached at (571) 272-7794.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

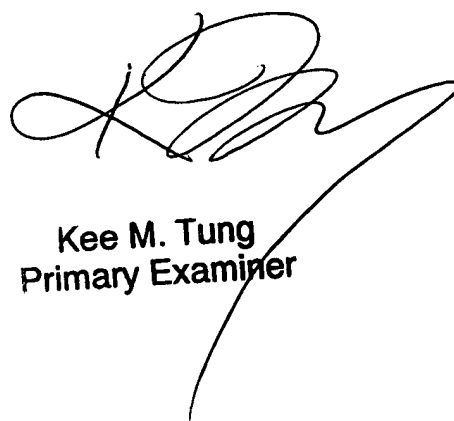
**or faxed to:**

**571-273-8300 (Central Fax)**

Art Unit: 2628

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (571) 272-2600.

aac  
*AKC* PATENT EXAMINER  
3/20/06



Kee M. Tung  
Primary Examiner